

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHANRIE COMPANY, INC., et al.,

Defendants.

No. 07-CV-491-DRH

ORDER

HERNDON, Chief Judge:

This matter comes before the Court on a motion for leave to withdraw as counsel for Defendants Shanrie Co., Inc. and Dan Sheils filed by Attorney Theresa L. Kitay. (Doc. 39.) According to the motion, Defendants Shanrie Co., Inc. and Dan Sheils have voluntarily requested that Kitay withdraw from this matter. Attached to the motion is a letter from Dan Sheils to the Court requesting that he be allowed to represent himself. **28 U.S.C. § 1654** provides that in federal court “parties may plead and conduct their own cases personally. . . .” Therefore, Mr. Sheils may represent himself and proceed *pro se*. However, as a corporation, Shanrie Co., Inc. cannot proceed *pro se*. In addition, Mr. Sheils cannot represent Shanrie Co., Inc. because he is not a lawyer. ***See Muzikowski. Paramount Pictures Corp.*, 322 F.3d 918, 924 (7th Cir. 2003); *Strong Delivery Ministry Ass’n v. Bd. of Appeals of Cook County*, 543 F.2d 32 (7th Cir. 1976) (holding that the right to proceed *pro se* under section 1654 “has never been enlarged to permit the**

individual to act in behalf of or as an agent for a party corporation.” *Id.* at 34.)

A corporation may appear in federal court only through a licensed attorney.

***Rowland v. California Men’s Colony, Unit II Men’s Advisory Council*, 506 U.S.**

194, 202 (1993). Accordingly, the Court **GRANTS IN PART AND DENIES IN**

PART the motion to withdraw. (Doc. 39.) The Court **WITHDRAWS** Theresa L. Kitay

as counsel only for Defendant Dan Sheils. Ms. Kitay shall continue to represent

Defendant Shanrie Co., Inc. Defendant Sheils shall file with the Clerk of the Court a

supplementary appearance that provides an address at which he may receive service

of documents related to this case. Lastly, Mr. Sheils has represented to the Court

that this withdrawal of counsel will not be the basis for any request for continuance

or other delay in this matter. The Court intends to hold Mr. Sheils to this

representation.

IT IS SO ORDERED.

Signed this 22nd day of April, 2008.

/s/ David R. Herndon

Chief Judge

United States District Court